



STATE OF NEVADA
STATE CONSERVATION COMMISSION
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MINUTES
STATE CONSERVATION COMMISSION

12:00 pm
Monday, July 28, 2008
Department of Conservation and Natural Resources
Division of Conservation Districts Office & via teleconference
901 S. Stewart Street, Room 5004
Carson City, NV 89701

Notice was hereby given that the Nevada State Conservation Commission held a public meeting on July 28, 2008 at 12:00pm at the Department of Conservation and Natural Resources, Division of Conservation Districts Office at 901 S. Stewart Street, Room 5004, Carson City, NV 89701. The State Conservation Commission considered and acted on the following items on July 28, 2008.

I. CALL TO ORDER –

Vice-Chairman Joe Sicking called the meeting to order at 12:08pm. Chairman Whipple informed the commission via telephone that he had been called away on an emergency and would not be able to participate. The Commission wished him well.

A. **Introductions** - **Commission Members in attendance:** Joe Sicking-Vice-Chairman, Vance Vesco, Eric Rieman, Chris Freeman, Judy Currier, and Ed Foster, and Dr. Rangesan Narayanan. Absent: Keith Whipple, Donna Lamm. **Others in attendance:** Jim Lawrence, Executive Secretary; Kelly McGowan, Division of CDs; Sandi Gotta, Division of CDs; Peggy Hughes, NRCS and Bill Elder, NRCS.

II. REVIEW AND APPROVAL OF AGENDA - *ACTION*

A. Ms. Currier made a motion to approve the agenda as posted, Mr. Freeman seconded the motion, and the motion passed unanimously.

III. REVIEW, AMENDMENT AND APPROVAL OF MINUTES - *ACTION*

A. **Approval of Minutes from June 26, 2008:** Mr. Vesco made a motion to approve the minutes as submitted, Mr. Freeman seconded the motion, and the motion passed unanimously.

IV. PUBLIC COMMENTS

A. **Three minute time limit per person, limited to items not on the agenda.**
There were no comments from members of the public; however, Mrs. Gotta welcomed Mr. Jim Lawrence as the new Executive Secretary. The commission also welcomed Mr. Lawrence.

V. REPORTS TO THE COMMISSION

A. **Status of the Division of Conservation Districts**

1. **General – Jim Lawrence** Mr. Lawrence updated the commission on the current budget preparations for FY10-11. He mentioned that the division has

been asked to cut their budget by 4% for FY09. To meet those reductions, the Administrative Assistant position has been reduced from full-time to a part-time position. Larger budget reductions of 14% are required for FY10-11 at this point. He stated that his main objective as well as Allen Biaggi's objective is to attempt to protect the Grants to Districts. The division operates on a pretty minimal budget right now, so making additional reductions is going to be a challenge; however he assured the commission that he will do everything he can to keep the budget as whole as possible. The budget is due August 29th.

Mr. Lawrence addressed a concern about a news article that talked about a recent court ruling on term limits. The court ruled that anybody holding office after January 1, 1997 is subject to term limits described as a maximum of 3 four-year terms allowed per individual. Past conversations with the Attorney General's office have encouraged CDs to talk to their own District Attorney for their opinion. Mr. Vesco was concerned about addressing the issue because potentially it could cause a very large amount of vacancies. Mr. Lawrence agreed that it was very difficult; however, he did not want to put district supervisors in a position where they may be looking at problems or fines further down the line. Mr. Lawrence will talk further with the AG's office and asked that other Commissioners and Conservation Districts talk to their District Attorneys. Mr. Lawrence wants to be sure that correct information is obtained and forwarded on to CDs.

2. Conservation Districts Meeting Logs – Kelly McGowan & Sandi Gotta

Mr. McGowan requested that review of the logs be done later on during the meeting as part of the Good Standing review. The commission agreed and the item was tabled.

3. General/Correspondence – Kelly McGowan & Sandi Gotta

Mrs. Gotta reminded the commission that they are working with NvACD to put together the NvACD Annual Meeting agenda for the meeting to be held in Jackpot on October 21-22, 2008. She asked the commission for ideas of topics they would like to have discussed. One item mentioned was 'term limits'. She will pass the information on to NvACD as a requested topic. She encouraged any additional topics be sent to her and she will forward on to Eleanor and Patsy for inclusion and approval.

Mrs. Gotta informed the commission that the office had received notice of final language adoption to the Nevada Administrative Code Chapter 548. This was in response to the request to amend the language the commission previously submitted for consideration. She informed the commission that copies of the amended language were mailed out to each chairman and employee of every district.

Mr. McGowan reminded the commission that with the division needing to cut their budget significantly, the In-State budget category has been reduced. With the NvACD meeting being held in Jackpot, it could cause a significant hit to the budget because the first SCC meeting will be held in Jackpot on Monday and the second meeting will be held at the conclusion of the NvACD meeting on Wednesday. The division pays the travel costs for commissioners to attend and will continue to do so. However, if a commissioner's conservation district can help with some of the costs it will help. The division will also be renting a van and those that can, are welcome to carpool in the van to help defray travel costs.

Any remaining travel budget is used by division staff to travel and attend as many conservation district meetings as possible throughout the year.

VI. REPORTS TO THE COMMISSION

Participating agencies and partners may report items of importance or urgency that they see as necessary at this time.

Department of Agriculture - Ed Foster, Department of Agriculture reported that the first positive test for West Nile Virus was obtained at the department and encouraged attendees to be vigilant and take care to protect themselves from mosquitoes.

Mr. Foster reported that the Department of Agriculture and other partners including NRCS, NV Cooperative Extension Service, and NDOW is planning a "Vanishing Agriculture Water Summit" workshop to be held in October and November.

Nevada Association of Conservation Districts – Chris Freeman reported that a group of representatives attended the NACD Legislative Conference in Washington DC and met with Senator Reid's office, Congressman Porter's office, Congresswoman Berkley and Congressman Heller's office. Items discussed included Rural School Funding, Pre-Fire Suppression, payment in-lieu tax, RC&D Funding, and Tahoe biofuels issues. If Conservation Districts want to participate in fire suppression activities in the Farm Bill they will need to amend their Annual Workplans to include them. Proposed language in the Farm Bill regarding pre-fire suppression to include CDs participation was also discussed. They also stressed partnership and local input needs that conservation districts can provide.

VII. OLD BUSINESS

A. Approval of amended Conservation District budgets as per NAC 548.090, 548.100, 548.110 and 548.120 - *ACTION*

1. *The Commission will review and may take action on amendments to Conservation District Budgets for FY 2009.*

The commission had questions on four CDs budgets at the last meeting. Mr. McGowan provided answers to their questions as follows:

Jiggs CD amended their budget to reflect the correct amount of AB629 funding received.

CDSN – The district provided an amended budget that included amending matching funds to reflect the removal of CD supervisor time to attend board meetings.

NV Tahoe – The district provided information that they administer private funds in the amount of \$52,000. The commission previously wanted more information about the source and use of the funds. In response, NTCD replied that the funds typically come from homeowner associations. The district performs duties required by the funding source as well as providing the required matching component for the grant.

White Pine – They have been contacted to provide a balanced budget as the budget submitted did not balance. Kelly has been in contact with them but has not received a revised budget yet. The Commission discussed approving it upon receipt of required documents.

Mr. Freeman moved to approve the amended budgets above with the exception of White Pine CD being held until a balanced budget is received by staff. Dr. Rangesan seconded the motion and motion passed unanimously.

B. Review and approval of all Conservation District Draft Financial reports FY 2008 as per NAC 548.090 and NAC 548.110 - *ACTION

1. Comments on District Draft Financial Reports –

Staff reported that all Financial Reports have been received by the office with the exception of Tonopah. Mrs. Gotta reminded the commission that the reports were sent to the commission for their review on CDs. She also reminded them that the financial reports were all in 'draft' form and the due date was early in the year so that the commission had the opportunity to verify that CDs have spent the required match. This would then allow the commission to approve their grant funds early in the year instead of waiting until review of the final financial reports in October.

The commission will review and take action on the approval of Draft Financial Reports for FY 2008 for all conservation districts as per NAC 548.100, 548.110 and 548.120.-

Ms. Currier moved to approve the draft financial reports that were received with the exception of Tonopah. Mr. Freeman seconded the motion and the motion passed unanimously.

C. Determination of District Standing as per NRS 548.178 and as per NAC 548.110 and 548.120 - *ACTION*

1. Staff Report – Mr. McGowan reported that nothing has changed since the status of the last meeting. Those that were asked to provide clarification have done so and as far as staff is concerned, they all have met the requirements.

2. District/Public Comments – None.

*3. Commission action on Districts in "Good Standing" - *ACTION**

Dr. Narayanan moved that all of the conservation districts be found in Good Standing, Mr. Freeman seconded the motion, and the motion passed unanimously. Mrs. Gotta added that this was quite an accomplishment for all of the CDs since the commission had asked them to be vigilant in meeting all of the deadlines with no exceptions and they all complied. The commission agreed that it was an enormous accomplishment and expressed their thanks to all districts and staff.

D. Equally award \$140,000 from the Basic Operating Grants to Districts program to districts that have been designated as eligible as per NRS 548.178 and NAC 548.120 and 548.130 - *ACTION*

1. Award Grants to Conservation Districts in "Good Standing" with Commission approved Conservation District Budgets (FY2009), Annual Work plans (FY2009), Financial Reports (FY2007), and Annual Reports (FY2007). Funding amount is based upon the Draft Financial Reports for FY2008.

Mr. Freeman moved to award the \$140,000 Basic Operation Grant to all 28 districts in equal amounts of \$5,000 each, with the exception of Tonopah being held until their draft or final financial report is received by staff. Dr. Narayanan seconded the motion and the motion passed unanimously. Dr. Narayanan revised the motion to clarify that upon receipt of staff's approval of Tonopah's financial report, their grant may be awarded. The amendment to the motion was passed unanimously.

E. Award the remainder of the funding available from the funds made available through Assembly Bill 629 to districts that have been designated as eligible as per NRS 548.178 and NAC 548.120 and 548.130 - *ACTION*

1. Award Grants to Conservation Districts in "Good Standing" with Commission approved Conservation District Budgets (FY2009), Annual Work plans (FY2009), Financial Reports (FY2007), and Annual Reports (FY2007). Funding amount is based upon the remainder of funds available to each eligible district pursuant to the language in Assembly Bill 629

Mrs. Gotta reviewed the report that was provided to the commission of the financial status of AB629 funding. The report included districts that have received a portion of their available AB629 funding amount and any funding available to them in FY09. She and Mr. McGowan have reviewed the report and are comfortable that the funding amounts available to CDs are correct and agree with the revised budgets that were submitted to staff. Mr. Vesco moved to approve payment of AB629 funding to CDs that have provided revised budgets and are eligible. Mr. Freeman seconded the motion and the motion passed unanimously.

VIII. NEW BUSINESS

A. Reminder that District's Annual Reports and Final Financial Reports for FY 2008 are due by September 30, 2008.

Staff reminded that Annual Reports and Final Financial Reports are due by September 30, 2008.

IX. STAFF ITEMS – Division Staff Comments

A. Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements and discussions proposed for action at future meetings.

The next meeting will be in Jackpot in conjunction with the NvACD Annual Meeting. The commission meeting will be held on Monday, October 20th with a second meeting being held at the conclusion of the NvACD meeting on Wednesday, October 22, 2008. Staff asked about a good time to start the meeting that would allow enough time for commissioners to travel to Jackpot. A 4:00pm start time was discussed and agreed on for the Monday meeting.

X. COMMISSIONER ITEMS

A. Comments, Reports, Items to be included on the next agenda.

Commissioner Narayanan requested that the Department of Agriculture update the commission with updated proposed language regarding the Noxious Weed Law. Mr. Foster will contact Scott Marsh, Department of Agriculture, to get an update for the commission at the next meeting.

Ms. Hughes, NRCS reported that they have been completing Farm Bill meetings with the public and are pleased with the participation levels. She also reported that the State Conservationist position closed a couple of weeks ago with 14 applicants. It is hopeful that a new State Conservationist will be announced soon.

XI. PUBLIC COMMENTS

A. Three-minute time limit per person, limited to items not on the agenda. None.

XII. NEXT COMMISSION MEETING - *ACTION*

A. *Set time and place* - Next meeting will be October 20, 2008 in Jackpot, NV at 4:00pm.

B. *Agenda Items* – The commission asked that the issue of term limits be included in the NvACD meeting agenda as well as the next commission meeting.

XIII. ADJOURNMENT - *ACTION* -

Mr. Freeman moved to adjourn the meeting; Mr. Rieman seconded the motion and the motion passed unanimously.